

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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BAILLIE LUMBER CO., L.P.  
a Delaware limited partnership,

Plaintiff,

v.

ORDER  
11-CV-995A(Sr)

ACE AMERICAN INSURANCE  
COMPANY, a Pennsylvania corporation,

Defendant.

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The above-referenced case was referred to Magistrate Judge H. Kenneth Schroeder, Jr., pursuant to 28 U.S.C. § 636(b)(1)(B). On October 21, 2014, Magistrate Judge Schroeder filed a Report and Recommendation, recommending that plaintiff's motion to strike the declaration of Mara Hsiung and portions of the declaration of Rebecca Golden (Dkt. No. 85) be granted in part and denied in part, and that defendant's motion for summary judgment (Dkt. No. 78) be granted.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Schroeder's Report and Recommendation, plaintiff's motion to strike the declaration of Mara Hsiung and portions of the declaration of Rebecca Golden (Dkt. No. 85) is granted in part and denied in part, and defendant's motion for summary judgment (Dkt. No. 78) is granted.

The Clerk of Court shall take all steps necessary to close the case

IT IS SO ORDERED.

*Richard J. Arcara*

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HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT COURT

Dated: December 10, 2014